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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/644,095	08/20/2003	Reiko Nomura	Q76922	4961

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EXAMINER
DHINGRA, PAWANDEEP

ART UNIT	PAPER NUMBER
2625	

NOTIFICATION DATE	DELIVERY MODE
01/14/2008	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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	Application No.	Applicant(s)
Office Action Summary	10/644,095	NOMURA, REIKO
	Examiner	**Art Unit**	
	Pawandeep S. Dhingra	2625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>*18 October 2007*</u>.

2a) ☒ This action is **FINAL**.   2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *4,7,9,11,13 and 15-18* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) *4,7,9,11,13 and 15-18* is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☒ All   b)☐ Some * c)☐ None of:

      1. ☒ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____.

      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

- This action is responsive to the following communication: Amendment after non-final rejection filed on 10/18/2007.

- Claims 1-3, 5-6, 8, 10, 12, and 14 have been cancelled by the applicant.

- Claim 18 has been added.

- Claims 4, 7, 9, 11, 13, and 15-18 are now pending in the present application.

Response to Arguments

Applicant's arguments filed 10/18/2007 have been fully considered but they are not persuasive.

With respect to applicant's arguments on page 9, regarding Sakamoto fails to teach the limitation "so as to scrap all received print data stored in the printer". Applicant argues that the above limitation "is different from the step of delete print data S205 of Fig. 2 or $210 of Fig. 13 disclosed in Sakamoto. The deleting steps S205 or S210 delete only the print data up to the job end command rather than "all received print data stored in the printer" ".

In reply, examiner asserts that Sakamoto discloses deleting (scrap) all received print data stored in the printer for the print job, for which job cancellation notification has been submitted. Sakamoto mentions deleting the print data up to the print job end mark only because if there is also a job data sent by other users stored in the printer, then that data shouldn't be deleted instead the printer should only delete the received print data for the job for which cancellation request has been submitted.

To provide even further clarification, it is apparent from the Sakamoto's disclosure that in a occasion when only one print job data has been sent to the printer by one user than upon the cancellation request all the received print data for that print job data stored in the printer, which includes all the received print data stored in the printer, will be scraped (deleted) (see figures 2-3, 6 with corresponding text; in particular see column 1, lines 14-46).

Furthermore, in response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., scrap all received print data not just up to the job end command) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Hence, Sakamoto's disclosure still reads on the limitations of claims 4 & 7 as presented and argued.

Rest of the applicant's arguments, see pages 10-11, with respect to 103 rejections have been disregarded since Sakamoto successfully discloses all the elements of independent claims as presented and argued.

Arguments made in regards to the elements of the newly added claim 18 have been addressed by the examiner in the discussion of the claim 18 given below.

Examiner Notes

Examiner cites particular paragraphs, columns and line numbers in the references as applied to the claims below for the convenience of the applicant. Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested that, in preparing responses, the applicant fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the examiner

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

   A person shall be entitled to a patent unless --

   (a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

   (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 4, 7, 15, and 16 are rejected under 35 U.S.C. 102(a) or (e) as being anticipated by Sakamoto et al., US 7,158,243.

Re claim 4, Sakamoto discloses a printer (see element 102, figure 1) which receives print data from a host and prints an image corresponding to said print data (see column 2, line 63 – column 3, line 15), comprising: a printing cancellation unit (see figure 1) which, during printing an image corresponding to received print data, in response to a printing cancellation request operation on an operating panel of the printer, halts said printing, and transmits a data cancellation request to the host to have the host halt a transmission of print data and transmit an initialization request to the printer (see figures 2-3, 6; column 2, line 63-column 6, line 35); and an initialization unit (see figure 1) which initializes an interior of the printer in response to said initialization request so as to scrap all received print data stored in the printer (see figures 2-3, 6, 13-14; column 2, line 63-column 6, line 35, column 9, lines 17-63, column 10, lines 1-64; column 1, lines 14-56; note that Sakamoto discloses deleting (scrap) all received print data stored in the printer for the print job, for which job cancellation notification has been submitted. Sakamoto mentions deleting the print data up to the print job end mark only because if there is also a job data sent by other users stored in the printer, then that data shouldn't be deleted instead the printer should only delete the received print data for the job for which cancellation request has been submitted. To provide even further clarification, it is apparent from the Sakamoto's disclosure that in a occasion when only one print job data has been sent to the printer by one user than upon the cancellation request all the received print data for that print job data stored in the printer, which includes all the received print data stored in the printer, will be scraped (deleted) (see figures 2-3, 6 with corresponding text; in particular see column 1, lines 14-46).

Re claim 7, Sakamoto discloses a printer (see element 102, figure 1) which receives print data from a host and prints an image corresponding to said print data (see column 2, line 63 – column 3, line 15), comprising: a printing cancellation unit (see figure 1; column 3, lines 16-18) which, during the printing of an image corresponding to received print data, in response to a printing cancellation request operation on an operating panel of the printer, halts said printing (see column 2, line 63 – column 3, line 44), performs discarding processing of received print data up to a code which indicates a predetermined end-point (i.e. end mark) (see column 3, line 34 – column 4, line 3, and column 5, lines 1-40), and transmits a data cancellation request to the host to have the host halt a transmission of print data (see figure 3, and column 5, lines 1-40); and an internal reset processing unit (see figure 1) which, in response to a reset command transmitted from the host in response to said data cancellation request, performs an internal reset processing to scrap (i.e. delete) all received print data stored in the printer and transmits to the host a status response indicating that cancellation is underway (see figures 2-3 & 13-14, and column 3, lines 15-45, column 4, lines 35-63, column 5, lines 1-46, column 9, lines 17-63, column 10, lines 1-64, see explanation given for claim 4 above).

Re claim 15, claim 15 recites identical features, as claim 4, except claim 15 is a method claim. Thus, arguments made for claim 4 are applicable for claim 15.

Re claim 16, claim 16 recites identical features, as claim 7, except claim 16 is a method claim. Thus, arguments made for claim 7 are applicable for claim 16.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claim 9 is rejected under 35 U.S.C. 103 as being unpatentable over

Sakamoto et al., US 7,158,243 in view of Mogi Tsutomu, JP 2000-289297.

Re claim 9, Sakamoto further discloses the transmission of data cancellation request

to the host by said printing cancellation means (see figures 2-3 & 13-14, and column 3,

lines 15-45, column 4, lines 35-63, column 5, lines 1-46, column 9, lines 17-63, column

10, lines 1-64).

Sakamoto fails to explicitly disclose self-resetting means which perform self-resetting

processing including processing to scrap received print data inside the printer, when

data are not received from the host for a predetermined length of time following the

transmission of data cancellation request to the host by said printing cancellation

means.

However, Mogi Tsutomu discloses self-resetting means (i.e. reset switch 26, see

abstract) which perform self-resetting processing including processing to scrap received

print data inside the printer (see abstract), when data are not received from the host for

a predetermined length of time (see abstract, note that system of Tsutomu will reset the

printer if the predetermined or expected data (e.g. data with associated with last job) is not found by the searching mode within a particular length of time (inherent)).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention to modify the printing system as disclosed by Sakamoto to include the printing system taught by Tsutomu for the benefit of preventing wasteful printing as taught by Tsutomu in abstract.

5. Claims 11, 13, and 17 are rejected under 35 U.S.C. 103 as being unpatentable over Sakamoto et al., US 7,158,243 in view of Mogi Tsutomu, JP 2000-289297 further in view of Shima, US 2002/0001104.

Re claim 11, Sakamoto discloses a printer (see element 102, figure 1) which receives print data from a host and prints an image corresponding to said print data (see column 2, line 63 – column 3, line 15), comprising: a printing unit (see figure 1) which executes a print job after receiving, from the host (see column 2, line 59-column 3, line 15), and print data and having a job end command attached to the end thereof (see column 3, line 16-column 5, line 40); a printing cancellation unit which, during printing corresponding to received print job, in response to a printing cancellation request operation on an operating panel of the printer, halts said printing and transmits a data cancellation request to said host to cause said host to halt transmission of the print data for said print job, to attach said job end command to the print job data corresponding to said print job, and to transmit said job end command to said printer (see figures 2-3 & 13-14, and column 3, lines 15-45, column 4, lines 35-63, column 5,

lines 1-46, column 9, lines 17-63, column 10, lines 1-64); a discarding processing unit

which perform discarding processing of received print data inside said printer up to said

job end command (see figures 2-3 & 13-14, and column 3, lines 15-45, column 4, lines

35-63, column 5, lines 1-46, column 9, lines 17-63, column 10, lines 1-64); Sakamoto

further discloses the transmission of data cancellation request to the host by said

printing cancellation means (see figures 2-3 & 13-14, and column 3, lines 15-45, column

4, lines 35-63, column 5, lines 1-46, column 9, lines 17-63, column 10, lines 1-64).

Sakamoto fails to explicitly further disclose print job data including job identification

information, and a self-resetting unit which performs self-resetting processing including

processing to scrap all received print data inside the printer, when data are not received

from the host for a predetermined length of time following the transmission of said data

cancellation request to the host by said printing cancellation unit.

However, Mogi Tsutomu discloses a self-resetting unit (i.e. reset switch 26, see

abstract) which performs self-resetting processing including processing to scrap all

received print data inside the printer (see abstract); when data are not received from the

host for a predetermined length of time (see abstract, note that system of Tsutomu will

reset the printer if the predetermined or expected data is not found by the searching

mode within a particular length of time (inherent)).

However, Shima discloses the print job data including job identification information

(see paragraph 0046).

Therefore, it would have been obvious to one of ordinary skill in the art at the time

the invention to modify the printing system as disclosed by Sakamoto to include the

printing system taught by Tsutomu, and printer for managing plurality of print job data

taught by Shima for the benefit of preventing wasteful printing as taught by Tsutomu in

abstract, and "independently manage the respective ones of a plurality of print job data

(jobs) thrown in the printer" as taught by Shima at paragraph 0010.

Re claim 13, Sakamoto further discloses the printer does not accept data for a next

print job until printing processing for received print job data is complete (see column 4,

lines 35-63).

Re claim 17, claim 17 recites identical features, as claim 11, except claim 17 is a

method claim. Thus, arguments made for claim 11 are applicable for claim 17.

6. Claims 18 is rejected under 35 U.S.C. 103 as being unpatentable over

Sakamoto et al., US 7,158,243 in view of Shima, US 2002/0001104.

Re claim 18, Sakamoto discloses a printer (see element 102, figure 1) which

receives print data from a host and prints an image corresponding to said print data

(see column 2, line 63 – column 3, line 15), comprising: a printing unit (see figure 1)

which executes a print job after receiving, from the host (see column 2, line 59-column

3, line 15), and print data and having a job end command attached to the end thereof

(see column 3, line 16-column 5, line 40); a printing cancellation unit which, during

printing corresponding to received print job, in response to a printing cancellation

request operation on an operating panel of the printer, halts said printing and transmits

a data cancellation request with print job ID (note that it is apparent that cancellation instruction includes the print ID of the print job such that the computer be notified that printing of the particular print job has been cancelled by the instruction from the operation panel) to said host, so as to cause said host to determine if a current print data corresponds to the print job ID (note that it is apparent that every print job data has print ID associated with it), and to, when the current data corresponds to the job ID (control code is searched in the printing data which has a cancellation instruction issued), halt transmission of the print data for said print job, attach said job end command to the current print job data, and transmit said job end command to said printer (see figures 2-3 & 13-14, and column 3, lines 15-45, column 4, lines 35-63, column 5, lines 1-46, column 9, lines 17-63, column 10, lines 1-64); and a discarding processing unit which discards received print data inside said printer up to said job end command (see figures 2-3 & 13-14, and column 3, lines 15-45, column 4, lines 35-63, column 5, lines 1-46, column 9, lines 17-63, column 10, lines 1-64); Sakamoto further discloses the transmission of data cancellation request to the host by said printing cancellation means (see figures 2-3 & 13-14, and column 3, lines 15-45, column 4, lines 35-63, column 5, lines 1-46, column 9, lines 17-63, column 10, lines 1-64).

Sakamoto fails to explicitly further disclose print job data including job identification information.

However, Shima discloses the print job data including job identification information (see paragraph 0046).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention to modify the printing system as disclosed by Sakamoto to include the printer for managing plurality of print job data taught by Shima for the benefit of "independently manage the respective ones of a plurality of print job data (jobs) thrown in the printer" as taught by Shima at paragraph 0010.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

JP 09-106619, see abstract.

Mogi, Tsutomu, JP 2000-289297 teaches deleting (scrap) all the received print data stored in the receiving buffer 22B.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Pawandeep S. Dhingra whose telephone number is 571-270-1231. The examiner can normally be reached on M-F, 9:30-7:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Twyler Lamb can be reached on 571-272-7406. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

TWYLER LAMB
SUPERVISORY PATENT EXAMINER

Pd
January 6, 2008